

Gordon & Rees LLP
Embarcadero Center West
275 Battery Street, Suite 2000
San Francisco, CA 94111

S. MITCHELL KAPLAN (SBN: 95065)
JOHN L. CONDREY (SBN: 136538)
GORDON & REES LLP
Embarcadero Center West
275 Battery Street, Suite 2000
San Francisco, CA 94111
Telephone: (415) 986-5900
Facsimile: (415) 986-8054

Attorneys For: Plaintiff and Counter-Defendant
SKANSKA USA BUILDING, INC.

FILED

JUL 13 2005

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIF.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SKANSKA USA BUILDING, INC., a Delaware
corporation,

Plaintiff,

v.

ROGERS-QUINN CONSTRUCTION, INC., a
California corporation,

Defendant.

ROGERS-QUINN CONSTRUCTION, INC., a
California corporation,

Counter-Claimant,

v.

SKANSKA USA BUILDING, INC., a Delaware
corporation,

Counter-Defendant.

CASE NO. CIV. S-05-537 GEB GGH

STIPUATION TO RESCHEDULE THE
HEARING DATE ON THE MOTION
FOR SUMMARY ADJUDICATION,
OR IN THE ALTERNATIVE, FOR
PRELIMINARY INJUNCTION;
[PROPOSED ORDER]

Plaintiff and counter-defendant SKANSKA USA BUILDING, INC. ("SKANSKA"), and
defendant and counter-claimant ROGERS-QUINN CONSTRUCTION, INC. ("RQC"), through
their attorneys of record respectfully request that this Court reschedule SKANSKA'S Motion For
Summary Adjudication, Or In The Alternative, For Preliminary Injunction currently set for
August 1, 2005 to August 29, 2005. The reason for this request is that counsel in this matter are
involved in settlement discussions. In furtherance of this request, the parties hereby stipulate to

the following:

IT IS HEREBY STIPULATED by and between the parties hereto, through their respective counsel of record, that the parties agree, subject to the Court's approval, to continue the hearing on SKANSKA'S Motion For Summary Adjudication, Or In The Alternative, For Preliminary Injunction to August 29, 2005, at 9:00 a.m., in Court Room 10, in Sacramento.

IT IS SO STIPULATED.

Dated: July 14, 2005

GORDON & REES

By

JOHN L. CONDREY for
S. MITCHELL KAPLAN
Attorneys for Plaintiff and Counter-Defendant
SKANSKA USA BUILDING, INC.

Dated: July __, 2005

MUSICK, PEELER & GARRETT

By

Gerard Smolin, Jr.
Attorneys for Defendant and Counter-Claimant
ROGERS-QUINN CONSTRUCTION, INC.

IT IS HEREBY ORDERED, and GOOD CAUSE having been shown, that the hearing date on SKANSKA'S Motion For Summary Adjudication, Or In The Alternative, For Preliminary Injunction currently set for August 1, 2005 in the above-captioned matter, be rescheduled to August 29, 2005.

Dated: 7-18-05

UNITED STATES DISTRICT JUDGE

Gordon & Rees LLP
Embarcadero Center West
275 Battery Street, Suite 2000
San Francisco, CA 94111

1 the following:
2

3 **IT IS HEREBY STIPULATED** by and between the parties hereto, through their
4 respective counsel of record, that the parties agree, subject to the Court's approval, to continue
5 the hearing on SKANSKA'S Motion For Summary Adjudication, Or In The Alternative, For
6 Preliminary Injunction to August 29, 2005, at 9:00 a.m., in Court Room 10, in Sacramento.
7

8 **IT IS SO STIPULATED.**
9

10
11 Dated: July __, 2005

GORDON & REES

12
13 By _____
14

15 S. MITCHELL KAPLAN
16 Attorneys for Plaintiff and Counter-Defendant
17 SKANSKA USA BUILDING, INC.

18
19 Dated: July 14, 2005

MUSICK, PEELER & GARRETT

20
21 By _____
22

23 Gerard Smolin, Jr.
24 Attorneys for Defendant and Counter-Claimant
25 ROGERS-QUINN CONSTRUCTION, INC.

26 **IT IS HEREBY ORDERED**, and GOOD CAUSE having been shown, that the
27 hearing date on SKANSKA'S Motion For Summary Adjudication, Or In The Alternative, For
28 Preliminary Injunction currently set for August 1, 2005 in the above-captioned matter, be
rescheduled to August 29, 2005.

Dated: _____

UNITED STATES DISTRICT JUDGE